

Resume in English

Name of the thesis: „FATCA“ and its projection into the Czech legal system

Foreign Account Tax Compliance Act (alias FATCA), the law of the United States, is currently being much discussed topic not even in the Czech Republic, but within the European Union and also globally, as many developed countries are forced to implement its ideas due to their fear of possible sanctions from the USA. The purpose of this act is more efficient fight against the tax evasion of American taxpayers. Along with the adoption of this law the expert community has started to deal with possible issues related to its obeying by foreign entities. Czech Republic has decided to respond to this situation by concluding an intergovernmental agreement with the US government and by adoption of implementing statute to this agreement to avoid any conflicts.

This diploma thesis tries to describe the actual status of the fight against tax evasion in the Czech Republic and the United States of America, but also at the international level, as well as to point out the most important definitions of FATCA and to analyze the associated issues. Next goal is the evaluation of the implementation process, which has recently happened in the Czech Republic, and the assessment of future options for cooperation in the tax evasion.

The diploma thesis is divided into 4 chapters, excluding the introduction and the conclusion. The first chapter defines the basis terms related to the topic, hence, the tax system of Czech Republic and of the US, the definition of the tax evasion and tax haven, and the describing of the actual situation in the prosecution of tax evasion. The second part is dedicated to US law FATCA, its content, its system, the possibilities of its adoption by other countries and the controversy associated with it. The third part deals with the FATCA implementation process into the Czech legal system, hence the intergovernmental agreement FATCA and the law of lex FATCA, including the evaluation of implementation. The very last chapter is not subdivided and concerns the future development of cooperation between particular jurisdictions.

Key words:

Foreign Account Tax Compliance Act, income tax, tax evasion, international cooperation in tax administration